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Attorneys for Defendant/Counterclaimant/Third-Party Plaintiff

*9440 Fairview Avenue LLC, and Defendants Timothy Murray,
Joseph M. Sanzari Inc., North Bergen Asphalt LLC & Tilcon New York*

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Attorneys for Defendant Joseph Sanzari, individually

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

AMA REALTY LLC,

CIVIL ACTION NO.: 02:13-cv-00457

Plaintiff/Counterclaim
Defendant,

FILED ELECTRONICALLY

v.

9440 FAIRVIEW AVENUE, LLC, JOSEPH SANZARI, TIMOTHY MURRAY, JOSEPH M. SANZARI INC., NORTH BERGEN ASPHALT LLC, and TILCON NEW YORK, INC.

Defendants/Counterclaimant/
Third-Party Plaintiff

v.

MILLENNIUM RESOURCES RECOVERY, LTD, PERFECT BODY & FENDERS CO., INC., and JOHN DOES 1-5.

Third-Party Defendants.

**NOTICE OF MOTION IN LIMINE TO
PRECLUDE PLAINTIFF FROM
REFERRED TO DEFENDANTS
COLLECTIVELY AND AS THE
“SANZARI DEFENDANTS” AND TO
PRECLUDE PLAINTIFF FROM
INTRODUCING EVIDENCE OUTSIDE
OF THE SCOPE OF THE REMAINING
ALLEGED CLAIMS AS AGAINST THE
REMAINING DEFENDANTS**

TO: Paul Batista, Esq.
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Attorneys for Plaintiff, AMA Realty LLC

PLEASE TAKE NOTICE that on September 26, 2019, at 10:30 a.m. or as soon thereafter as counsel may be heard, Defendant/Counterclaimant/Third-Party Plaintiff 9440 Fairview Avenue LLC, and Defendants Joseph M. Sanzari, Inc., North Bergen Asphalt LLC, and Timothy Murray, individually, by their undersigned counsel, Connell Foley LLP, and Defendant Joseph Sanzari, individually, by his counsel Krovatin Klingeman LLC (collectively “Defendants”), shall move before the Honorable John M. Vazquez, U.S.D.J., at the Martin Luther King Federal Building & U.S. Courthouse, Newark, New Jersey, for entry of an Order: (1) precluding Plaintiff from referring to the Defendants collectively and as the “Sanzari Defendants” and (2) precluding Plaintiff from introducing evidence outside of the scope of the remaining alleged claims as against the remaining defendants.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Defendants will rely upon the Brief and the Certification of Timothy E. Corriston and Exhibits thereto, and any additional submissions made hereafter; and

PLEASE TAKE FURTHER NOTICE that a proposed form of Order has been submitted herewith pursuant to the Rules of this Court; and

PLEASE TAKE FURTHER NOTICE that oral argument is requested on this matter.

CONNELL FOLEY LLP

By: /s/ Timothy E. Corriston, Esq.
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*Attorneys for Defendant/Counterclaimant 9440
Fairview Avenue LLC, and Defendants Joseph M.
Sanzari, Inc., North Bergen Asphalt LLC and
Timothy Murray, individually & Tilcon New York*

KROVATIN KLINGEMAN LLC

By: /s/ Henry E. Klingeman, Esq.
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*Attorneys for Defendant Joseph Sanzari,
individually*

Dated: July 15, 2019